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NOT TO BE PUBLISHED IN OFFICIAL REPORTS

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION FOUR

YOLANDA ANDERSON,
Plaintiff and Appellant,
v.
STATE OF CALIFORNIA etc., et al.,
Defendants and Respondents.

A126799 & A128174

(Marin County
Super. Ct. No. CIV021252)

This is the second appeal arising from appellant's employment as a correctional officer for the California Department of Corrections from November 1988 to June 2004.[1] Appellant started her corrections career at Corcoran State Prison, but in February 1990, she requested and received a transfer to San Quentin State Prison. On March 8, 2001, appellant filed multiple complaints with the California Department of Fair Employment and Housing (DFEH), which were identical except for the name of the entity or person complained against. Each complaint indicated that from 1992 to the present, appellant had been harassed; denied employment, promotion and transfer; and "denied equal treatment, benefit of the job including wages at times" on account of her sex, race or color, and medical condition. The narrative portion of the complaint forms asserted that "[t]he incidences of harassment and discrimination are too numerous to mention. Most incidences involve denial of basic rights and entitlement to benefits of employment which

[1] We previously decided *Anderson v. State of California* (Oct. 17, 2007) [nonpub.].

are provided to others but, denied to [appellant]. Numerous grievances have had to be filed to correct inappropriate harassing and discriminatory tactics utilized to enforce [*sic*] these basic rights and entitlements. The rules, policies and procedures that employees are expected to obey and follow are applied unequally." It is undisputed that none of appellant's DFEH claims included a claim that respondents had retaliated against her. Appellant received right to sue letters from the DFEH on March 12, 2001.

Although appellant filed her initial complaint in this action on March 11, 2002, the operative pleading, however, is appellant's second amended complaint, filed April 24, 2003. This complaint alleges seven causes of action under the Fair Employment and Housing Act (FEHA) (Gov. Code, §§ 12900 et seq.). The first, second, and third causes of action allege that respondents discriminated against appellant on the basis of gender, race, and disability, respectively. The fourth, fifth, and sixth allege that respondents harassed appellant on each of the same bases. The seventh alleges that respondents retaliated against appellant for complaining about their discrimination and harassment of her.

Appellant contends that she began experiencing various forms of employment discrimination, harassment, and retaliation about two years after transferring to San Quentin. For purposes of the action giving rise to this appeal, however, appellant relies only on events beginning in May 1998, and continuing through March 2001.

The first appeal in this case was filed by appellant after the trial court entered summary judgment in favor of respondents. In our opinion filed on October 17, 2007, we reversed that judgment, and remanded the case back to the superior court for further proceedings.

Almost two years later, a two-month jury trial resulted in a verdict and subsequent judgment in favor of respondents. On this second appeal, and after granting extensions of time totaling 236 days to file her opening brief, appellant's brief[2] presents an

[2] Only an opening brief was filed by appellant, despite respondent pointing out the procedural deficiencies in that brief, and after this court granted appellant four extensions of time totaling six months to file a reply brief.

unintelligible compilation of disjointed accusations and factual claims which fail to comply with many fundamental rules of appellate procedure.

Those deficiencies include the failure to: (1) include a table of contents and table of authorities "separately listing cases, constitutions, statutes, court rules, and other authorities cited" (Cal Rules of Court, rule 8.204(a)(1)(A)); (2) present legal analysis and relevant supporting authority for each point asserted, with appropriate citations to the record on appeal (*Duarte v. Chino Community Hospital* (1999) 72 Cal.App.4th 849, 856); and (3) state the nature of the action, the relief sought in the trial court, the judgment or order appealed from, and summarize the significant facts, but limited to matters in the record (Cal. Rules of Court, rule 8.204(a)(2)(A), (C)).

These are not mere technical requirements, but important rules of appellate procedure designed to alleviate the burden on the court by requiring litigants to present their cause systematically, so that the court "may be advised, as they read, of the exact question under consideration, instead of being compelled to extricate it from the mass." (*Landa v. Steinberg* (1932) 126 Cal.App. 324, 325.)

Perhaps most importantly, the incomprehensible nature of appellant's brief makes it impossible for this court to discern what precise errors appellant is claiming were made either by the trial judge or by the jury, and how such errors prejudiced her. We are not required to search the record on our own seeking error. (*Del Real v. City of Riverside* (2002) 95 Cal.App.4th 761, 768.)

We note that appellant appears before us in propria persona. While this may explain the deficiencies in her briefs, it in no way excuses them. (*Burnete v. La Casa Dana Apartments* (2007) 148 Cal.App.4th 1262, 1267 [" ' "[T]he in propria persona litigant is held to the same restrictive rules of procedure as an attorney" ' "].) Her self-represented status does not exempt her from the rules of appellate procedure or relieve her of her burden on appeal. Those representing themselves are afforded no additional leniency or immunity from the rules of appellate procedure simply because of their propria persona status. (See *Rappleyea v. Campbell* (1994) 8 Cal.4th 975, 984; see also *Nwosu v. Uba* (2004) 122 Cal.App.4th 1229, 1246-1247.)

DISPOSITION

The judgment is affirmed. In the interest of justice, the parties are to bear their own costs of appeal.

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RUVOLO, P. J.

We concur:

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REARDON, J.

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SEPULVEDA, J.